

**From:** Nathaniel Woody  
**To:** Microsoft ATR  
**Date:** 1/23/02 8:08am  
**Subject:** Microsoft Settlement

I find the proposed settlement of the Microsoft antitrust case very disconcerting. The most obvious problems that I see are that the disclosure of API's by microsoft(which I believe would be a "good thing") seem to be rather weakly worded. It would appear from the way the settlement is worded that there are several loopholes by which Microsoft would be able to prevent usefull access to the API's that non-microsoft developers would need. The security wording appears very dangerous and appears to allow Microsoft to be able to prevent the distribution of any API's that Microsoft finds most important. Microsoft has proven in the past a willingness to find and exploit loopholes and this seems to provide a rather easy one. The second serious problem I see is the idea of Microsoft paying the expected fines by providing software to schools. This sounds like a good idea on the face, but I see two major problems. First distributing software costs Microsoft essentially nothing. T!

he only real costs that could be attributed to this are the production costs of the CD's and manuals. The schools that would receive this were not planning on buying Microsoft products so there can be no argued loss of revenue and so the worth of software license is arguable at best. The second problem is that the education market has always been dominated by Apple, particularly the Macintosh now. This provides an excellent way for Microsoft to attack a competitor to their monopoly while paying off monopoly fines. This whole idea amounts to paying a fine with software license play money. I believe Ralph Nader's essay does a far better job addressing these problems then I can so I will not talk of these any further. The final problem that I have with the settlement is that there seems to be far too much reliance on good-will practices from Microsoft to prevent further monopoly problems. I have seen little evidence to suggest that Microsoft takes the attitude that they a!

re being watched by someone and so most behave better. Instead there seems to be a regular stream litigation both from and againts Microsoft. I do not see how the proposed settlement would in any meaningful way restrict the actions of Microsoft without an internal attitude change. Evidence that Microsoft wishes to maintain it's monopoly appears in their current lawsuit against LindowsOS. Lindows proposes to be a new OS that is capable of running Microsoft apps as well as linux apps(hence the name!). They are being sued by Microsoft for trademark violation. This despite the the plethora of (non-windows competing) apps that incorporate "win" or "windows" into their name(winzip, winrar,winamp,etc). However, Microsoft instead resorts only to attacking potential competitors. I hope this statement provides some of the reasons why I am so disappointed in the proposed settlement. This email was written and is sent on behalf of the Chemometrics Research Group at the University of Delaware. I include their names below:

Nate Woody  
Tony Myles  
Rob Feduale  
Huwei Tan

Thank you for the oppurtunity to voice our opinion.